

Authority: General Government and Licensing Committee
Item GL23.10, as adopted by City of Toronto Council on
June 8 and 9, 2021

CITY OF TORONTO

BY-LAW 464-2021

To expropriate easements for municipal purposes, for the Port Union Road Widening project.

Whereas in accordance with the provisions of the Expropriations Act, an application was submitted to City Council as approving authority, for approval to expropriate the interests in land described in the attached Schedule A; and

Whereas Notice of such application was published and served on the registered owners of the said lands; and

Whereas no request for a hearing regarding the proposed expropriation was received, and the deadline for such request has expired; and

Whereas the Council of the City of Toronto, as approving authority, at its meeting of June 8 and 9, 2021 approved the application and gave leave to introduce and enact this by-law;

The Council of the City of Toronto enacts:

- 1.** The expropriation of the easement interests described in the attached Schedule A, for the municipal purpose of the Port Union Road widening project and for maintenance of retaining walls, is approved by the Council of the City of Toronto, as approving authority, and authority is granted for the signing, sealing and registration of the Certificate of Approval.
- 2.** The expropriation of the easement interests described in the attached Schedule A, for municipal purpose of the Port Union Road widening project and for maintenance of retaining walls, is authorized by the Council of the City of Toronto, as expropriating authority, pursuant to Sections 7, 8 and 9 of the City of Toronto Act, 2006, and authority is granted for the signing, sealing and registration of expropriation plans in the land registry office, and the payment of all incidental expenses.
- 3.** Each of the Deputy City Manager, Corporate Services, the Director, Transaction Services, Corporate Real Estate Management, and the Manager, Transaction Services, Corporate Real Estate Management is authorized severally to execute and effect service of the Notices of Expropriation, Notices of Election, and Notices of Possession, as contemplated by the Expropriations Act, and to do all things necessary to give effect to this by-law.

Enacted and passed on June 9, 2021.

Frances Nunziata,
Speaker

John D. Elvidge,
City Clerk

(Seal of the City)

Schedule A
Easements to be expropriated

Temporary Easement means: A temporary easement or rights in the nature of a temporary easement on, in, over, under and through the lands identified for the purpose of facilitating the construction of a retaining wall on adjacent City-owned land, and all works ancillary thereto, including without limitation, alterations to and removal of hard and soft landscaping, re-grading work and the right to enter and occupy with all vehicles, materials, machinery, tools and equipment necessary. Such temporary easement shall commence on a date specified in writing, on at least THIRTY (30) days' prior written notice to the registered owner, and will continue for THREE (3) MONTHS. The City shall have the right to extend the temporary easement for an additional TWO (2) MONTHS on THIRTY (30) days' prior written notice to the registered owner. All rights under the temporary easement shall expire no later than December 31, 2024.

Permanent Easement means: A permanent easement or rights in the nature of a permanent easement, on, in, over, under and through the lands identified for the construction, installation, maintenance, inspection, repair, removal, replacement or reconstruction of a retaining wall on adjacent City-owned land, and all works ancillary thereto including, without limitation, alterations to and removal of hard and soft landscaping, re-grading work and the right to enter and occupy with all vehicles, materials, machinery, tools and equipment necessary.

| Municipal Address | Easement expropriated | Legal Description of easement area |
|---------------------|-----------------------|------------------------------------|
| 429 Port Union Road | Permanent Easement | Part 1 on 66R-31089 |
| 433 Port Union Road | Permanent Easement | Part 1 on 66R-31091 |
| 33 Rozell Road | Temporary Easement | Part 1 on 66R-31087 |